

FILED
SEP 18 2008
RICHARD W. WICKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

vs.

BRADLEY CALVIN SAYLOR,
Defendant.

No. CR 08-0428 MAG

STIPULATION AND ORDER
CONTINUING HEARING AND
EXCLUDING TIME

STIPULATION

This matter was previously set for a hearing on September 29, 2008 regarding the status of deferral of prosecution. The evaluation of the defendant's eligibility for pretrial diversion is still in progress and will not be complete by September 29, 2008. Accordingly, the parties agree to continue the hearing in the above-captioned matter from September 29, 2008 until November 3, 2008 at 9:30 a.m. The parties request that time be excluded under the Speedy Trial Act based upon the need to complete the process of evaluation for pretrial diversion. See 18 U.S.C. § 3161 (h)(2).

It is so stipulated.

DATED: September 15, 2008

/s/

RONALD TYLER
Assistant Federal Public Defender
Counsel for Bradley Saylor

DATED: September 15, 2008

/s/

WENDY THOMAS
Assistant United States Attorney

STIP & ORDER CONTINUING
HEARING
United States v. Saylor
CR 08-0428 MAG

1 **ORDER**

2 The Court finds as follows:

3 The ends of justice are served by granting the requested continuance, given that failure to do so
4 would deny the defendant the opportunity to seek deferral of prosecution. The aforementioned ends
5 of justice outweigh the best interest of the public and the defendant in a speedy trial.

6 Accordingly, this matter is continued until November 3, 2008 at 9:30 a.m. Pursuant to the
7 Speedy Trial Act, Title 18 United States Code §§3161(h)(2) and 3161(h)(8)(A), the period from
8 September 29, 2008 until November 3, 2008 is excluded in computing the time within which the trial
9 of this matter must commence.

10 IT IS SO ORDERED.

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12 DATED:

13 *Sept 18, 2008*

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15 ELIZABETH D. LAPORTE
16 UNITED STATES MAGISTRATE JUDGE
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